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# GOVERNMENT IN OKLAHOMA



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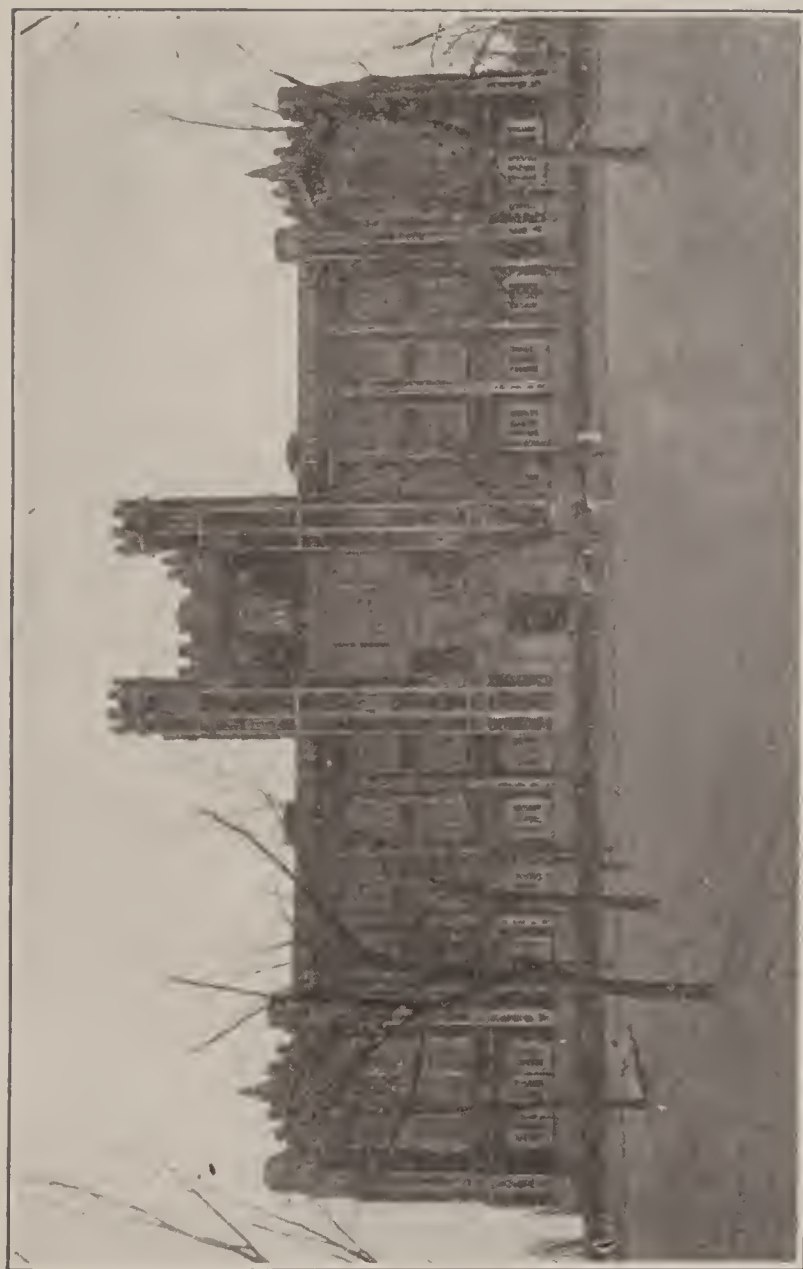




GOVERNMENT  
IN  
OKLAHOMA







State University of Oklahoma, Norman



# GOVERNMENT

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# OKLAHOMA

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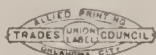
By  
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And

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Mocco: An Indian Boy,  
Hoistah: An Indian Girl,  
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## PREFACE

In preparing this text I have had in mind the needs of the pupils in the elementary schools of Oklahoma. Many of these children may not attend high school and should therefore receive proper training in citizenship before completing the elementary schools.

It is the purpose of this text to develop in the children of Oklahoma some appreciation of membership in the state, and to acquaint them with the rights and duties arising from such membership.

S. M. BARRETT,  
Norman, Oklahoma.



State Superintendent R. H. Wilson

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# PART ONE

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## NATURE OF SOCIETY AND GOVERNMENT

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### CHAPTER I.

#### The Individual and the Group.

**Nature of Society.**—No one lives to himself, but individuals, men, women and children, everywhere are in some way associated together in groups. These various groups of people, associated for common interests and acting together for the general welfare, are called societies. The common objects or ends for which individuals associate together in societies or groups are very numerous. Included among the most prominent of these objects or ends are the production of food and clothing, the protection of property and persons, and the regulation of matters religious and educational in nature.

These associations of individuals have existed from the earliest periods of history. In the earlier periods these groups were small because primitive man did not associate with any except members of his own family. Later, however, the groups became larger, forming clans and tribes. Gradually, after long ages, these units or groups were expanded until a whole nation was included in one group or society and all the individual members of a society or nation worked together for the general welfare.

In a social group or society, a member who interferes with the rights of others is restrained or punished by the group; one who respects the rights of others is approved by the

group, and one who sacrifices his rights or interests for the common good is praised or rewarded by the group.

**The Family Group.**—The smallest social unit is the family—father, mother and children. Each member of the family has certain rights and duties and is in many ways dependent upon the other members of the group.

The parents must provide food, clothing, shelter, and other necessities and comforts for the children, protect them from harm, and educate them. For this care and oversight the children owe obedience to the parents. When parents become old or infirm their children should care for them.

The failure of a child to obey the parent may be a detriment not only to the child but to all other members of the group. Children have rights also which should be respected by every member of the family—property rights and personal rights.

**Property Rights and Personal Rights.**—If one child destroyed or injured the toys or books of another child he would thus show a disrespect for property rights; if he disturbed the other child's rest or play he would thereby disrespect his personal rights. In fact, if any member of a family acted without proper regard for the rights of others, the unity of the family would be decreased; if each member acted without regard to the rights of others, the family unity would be destroyed. In such a state of affairs the common interests of the group would suffer and each individual would be affected. Thus in the family group, as in other societies, each member should respect the rights of others. The group should protect the rights of every individual.

**The School Group.**—The school is a larger social unit than the family, but its organization is similar. The teacher, in the main, acts in the parent's place. It is the teacher's duty to govern and direct the pupils in the activities of school life.

In return for help, care, and oversight given them by their teacher and by the other school authorities the pupils owe obedience to the teacher and to the general school regula-

tions. Pupils should also show proper respect for the rights of each other. In a general way, each member of the school group is dependent upon the other members. To illustrate this principle, let us suppose that other members of this school were noisy. Under such circumstances, could you study so well? If other pupils took your books would you not thus be inconvenienced? On the other hand, if you failed to prepare your lesson properly you would require an extra amount of help from the teacher or require an undue amount of help or direction during the recitation period and thus interfere with the progress of the school. If you were a member of an athletic team and, by smoking or some other improper personal habit, injured your own physical powers you would no doubt thereby weaken the team and the group would perhaps suffer. It is your duty and the duty of each pupil in school, whether on the playground, in the class-room, or in any other school activity, to recognize the rights of others, and act so as to promote common interests.

**Other Groups.**—The railroad, mine, club and church are examples of other social groups. The family, school, railroad, mine, club, church, etc., each attends to matters within its particular group, but there are other duties or functions which extend beyond the powers of any of these and must therefore be regulated by a larger group. The distribution of mail through the post offices is a good illustration of such duties or functions.

There sometimes arise disputes between the smaller groups, or between individuals and a group, which must be settled by a higher power or a larger group.

Some members of a group at times will not regulate their conduct in accordance with the common interests; some groups and some individuals will frequently insist upon their rights but neglect their duties. Then a stronger power is needed to make proper adjustments. In such cases a larger group is necessary. The largest society or group is the state—a political unit. This unit furnishes protection to persons

and property. It prevents or punishes the wrongdoings both of individuals and of groups.

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### Suggestive Questions

What is Society? Why do people associate together in groups?

Why were social groups small in the primitive periods?

Name several groups not mentioned in the text. State what common ends are found in each group mentioned.

What rights have children in the family? What duties?

What rights and what duties have pupils in a school?

Why are larger groups than the family or school necessary?

Individuals may, of course, insist upon their rights. Should they neglect their duties?

If persons neglect their duties do they thereby forfeit some rights? Give an illustration of a case where neglect of duties forfeits the rights of the individual in the group.



## CHAPTER II.

### POLITICAL GOVERNMENT

**Membership in Groups.**—It has been shown that each individual is a member of some group, perhaps of several groups. You, for instance, are a member of at least two groups—the family and the school. Your father is perhaps a member of several groups—family, church, lodge, business firm, and he is also a citizen, that is, he is an active member of a large political unit—the state.

**Necessity for Rules.**—If each member of a group could understand his rights and duties as others understand them and would act justly at all times there would be no need of rules. Not all individuals understand their rights and duties, and some persons are not willing to perform their full duty without coercion. Because of these conditions it becomes necessary to have some rules for the control of every group.

**Political Government.**—In the political groups these rules are called laws. They are enacted by the state or some subdivision of it, and are intended to secure peace and order. That part of the government which makes the laws is called the **legislative department of government**.

As in the rules for the family or the regulations of the school, these rules or laws are for the benefit of the individual. In every case some provision is made for enforcement. The enforcing of laws is the function or duty of the **executive department of government**.

Not every individual can fully understand all of these laws, and sometimes the executive officers themselves cannot interpret them. Rightly the state therefore provides a department to declare the meaning of law. This is known as the **judicial department of government**. The duties of the

officers of this department are to **decide disputes** and to **interpret the law**.

**Classes of Government.**—The United States government exercises control over an area of nearly 4,000,000 square miles and governs more than 100,000,000 people. It can readily be seen that the general government could not attend to all the details in this vast territory or adjust the individual rights of so great a number of people because the conditions and needs vary in different localities. The United States has, therefore, provided three general classes of government: local, \*State, and national.

**Local Government.**—The management and control of the affairs of the smaller political divisions are denominated local government. Local units of government include **school districts, townships, towns and cities, and counties**. These local governments have control of all purely local matters such as **public education, relief of poor, streets, public health, municipal improvements, etc.** The territory of the State is divided into counties and these in turn into townships, school districts, towns and cities.

**State Government.**—Primarily, the State makes laws for the government of each of the smaller units. However, certain lawmaking (legislative) powers are delegated to each of these smaller units.

The State government extends the work of the local units and also performs such tasks as cannot be performed by these groups. The State maintains the University, Agricultural and Mechanical College, Normal Schools, and various other educational institutions; regulates banking, insurance companies, and corporations; cares for defective and delinquent children, and for the insane; has charge of the convicted criminals, and in many ways serves the interests of individuals and of the group.

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\*State is here used in a narrow sense, that is, one of the political divisions of the nation. Previously in this text it has been used in its broad sense, meaning the whole country or nation.

**National Government.**—The national government attends to matters which affect more than one State. It regulates our relations with foreign countries; commerce among the several states; manages the postal system, and controls the national territories and the public lands.

The national government also controls the affairs of certain Indian tribes, and assists the several states in promoting vocational training in educational institutions. In a general way, this unit of government directs the larger affairs of the people, and of the smaller political units.

**Citizenship.**—A **citizen** is one who is recognized as a member of the state or nation, and as such has certain rights and duties. An **alien**, in this country, is a citizen of another country living in the United States. He has certain duties, but not all the rights of a citizen.

An alien in the United States may become a citizen by being naturalized. Before he can be naturalized he must have resided in this country for five years and must have declared his intentions at least two years and not more than seven years before he can be naturalized. In becoming naturalized he renounces allegiance to his former country and swears allegiance to the United States government.

Adult citizens have both civil and political rights. The former are such rights as affect an individual in his person or property; the latter include the right to share in the government—to vote and to hold office.

Every citizen owes the duty of service to the state. This service includes paying taxes, military service, and patriotic support of the government in obeying and assisting to enforce the laws. Acting for charity, education, or social improvements, is no less patriotic than military service.

Political rights are not given to women in all States but the number of States giving equal political rights to each sex is increasing.

### Suggestive Questions

To what groups do you belong? To what groups does your father belong? Your mother?

Why are laws necessary?

What is the State?

What is the executive department of government? The judicial department? The legislative department?

What are the several classes of government? Give the general functions of the State.

What are civil rights? Political rights?

What is an alien? A citizen?

Name the most important duties of a citizen.

What rights have citizens? (See Appendix A)



# PART TWO

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## LOCAL GOVERNMENT

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### CHAPTER III.

#### School Districts

**Common School District.**—Common school districts in Oklahoma are, in the main, the rural districts—districts outside of cities of the first class.

The officers of the common school district are **director**, **clerk** and **treasurer**. These three officers constitute the board of education for the district. Their duties are to employ teachers, purchase supplies for the school, and repair the school property when necessary. They also keep the records of the district, have charge of school funds, and in a general way administer the affairs of public education. These officers are elected by the voters of the district. Each of these officers serves for a term of three years—one elected at each annual school meeting.

In school district meetings women over twenty-one years of age, if citizens and residents of the district, are entitled to vote.

**Separate Schools.**—Separate schools are maintained for white and colored children in all districts in our State, but the educational advantages provided are required by law to be equal. No white child may attend a colored school, and no colored child may attend a school for white children. Colored, as used in Oklahoma law, signifies persons of African descent.

**School Taxes.**—The school board may levy, annually, a tax of five mills on the dollar valuation for the support of the common schools. This rate of taxation may be increased in any district, not to exceed ten mills on the dollar valuation, by a majority of the qualified voters of the district voting at an election held in the district.

**Annual School Meetings.**—An annual school meeting is held in each school district in this State on the first Tuesday in June of each year. At this meeting school officers are elected, tax levies fixed, and the length of school term as well as many other questions may be determined.

The length of school term must be at least three months. The law provides that every child in the State must attend school for a term of at least three months. This period of compulsory attendance may be fixed by the school board of the district at any period from three to six months in length.

**School Funds.**—The district may vote a tax levy for building a school house or may issue bonds for that purpose. These funds or bonds, however, must be voted by the taxpayers of the district.

The State and county may also levy taxes for the support of the common schools. Revenues derived from school land funds, rental of school lands, or interest on loans made from permanent school funds are placed in a school fund which is apportioned among the districts according to scholastic population.

**Public School Libraries.**—The law of the State requires that the school board of each school district “shall designate, set apart and appropriate” funds for the purchase of books and periodicals for a public school library for the district. In a district employing only one teacher the amount is not less than five dollars nor more than ten dollars. In districts employing more than one teacher the designated amounts are larger.

**Consolidated School Districts.**—Whenever two or more districts wish to unite for the purpose of establishing a grad-

ed school they may do so by a majority vote of the qualified voters of the districts at an election called for that purpose. In any union, graded, or consolidated school district that has been formed for a term of not less than six scholastic months; has employed at least three teachers, and has an actual attendance during the said term of not fewer than one hundred thirty scholastic pupils residing within the said consolidated school district and has already constructed and furnished a suitable building of not fewer than three rooms, the State will, upon approval of the State Superintendent, grant a sum equal to not more than one half the cost of the building: Provided, that the total amount given by the State to any single consolidated district is not more than twenty-five hundred dollars.

Any district of not less than twenty-five square miles area, that meets the requirements for consolidated school districts may receive this aid also.

The funds for this assistance to consolidated or graded rural schools are derived from the sale of certain public lands (Section 33, Old Greer County) and also the accrued rentals therefrom. This fund is known as the **Consolidated School District Fund**.

Annual meetings, taxation, board of education, and all administrative matters in consolidated districts are governed by the laws for common school districts. Boards of education in consolidated or graded schools must provide suitable transportation to and from school for all pupils living one and one-half miles or more from the school-house.

**City School Districts.**—In city school districts the board of education consists of two members from each ward. There are also two members from added territory (if there be added territory) provided such territory has a population equal to that of any one ward of the city. City school board members are elected for two years, one from each ward each year.

The treasurer of a city school district is an officer elected from the city at large. He is not a board member. He has charge of the school funds, but must make monthly reports to the board. Boards of education in cities of the first class may levy a tax, not to exceed in any one year, twenty mills on the dollar valuation.

City school district boards shall meet on the first Monday of each month but may meet oftener.

Annual elections in city school districts are held at the same time that city elections are held, but separate ballots are provided.

Boards of education in cities elect a superintendent of schools, president and secretary of the board, and perform such other duties as the law provides for boards of education in common school districts. Boards of education in cities of the first class also authorize the certification of teachers, but common and consolidated school district boards have no such authority.

**Injury to School Property.**—The law provides a penalty, not less than ten dollars nor more than fifty dollars, for each and every wilful injury to school property in any school district.

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### Suggestive Questions

What are common school districts? Consolidated school districts? City school districts?

How are revenues for schools derived?

When are annual school meetings held? Who may vote at these meetings?

How may two or more school districts be united? Under what conditions will the State pay for part of the cost of constructing a school-house in consolidated school districts?

How many school officers in a common school district? In a city school district? How and when elected in each case?



## CHAPTER IV.

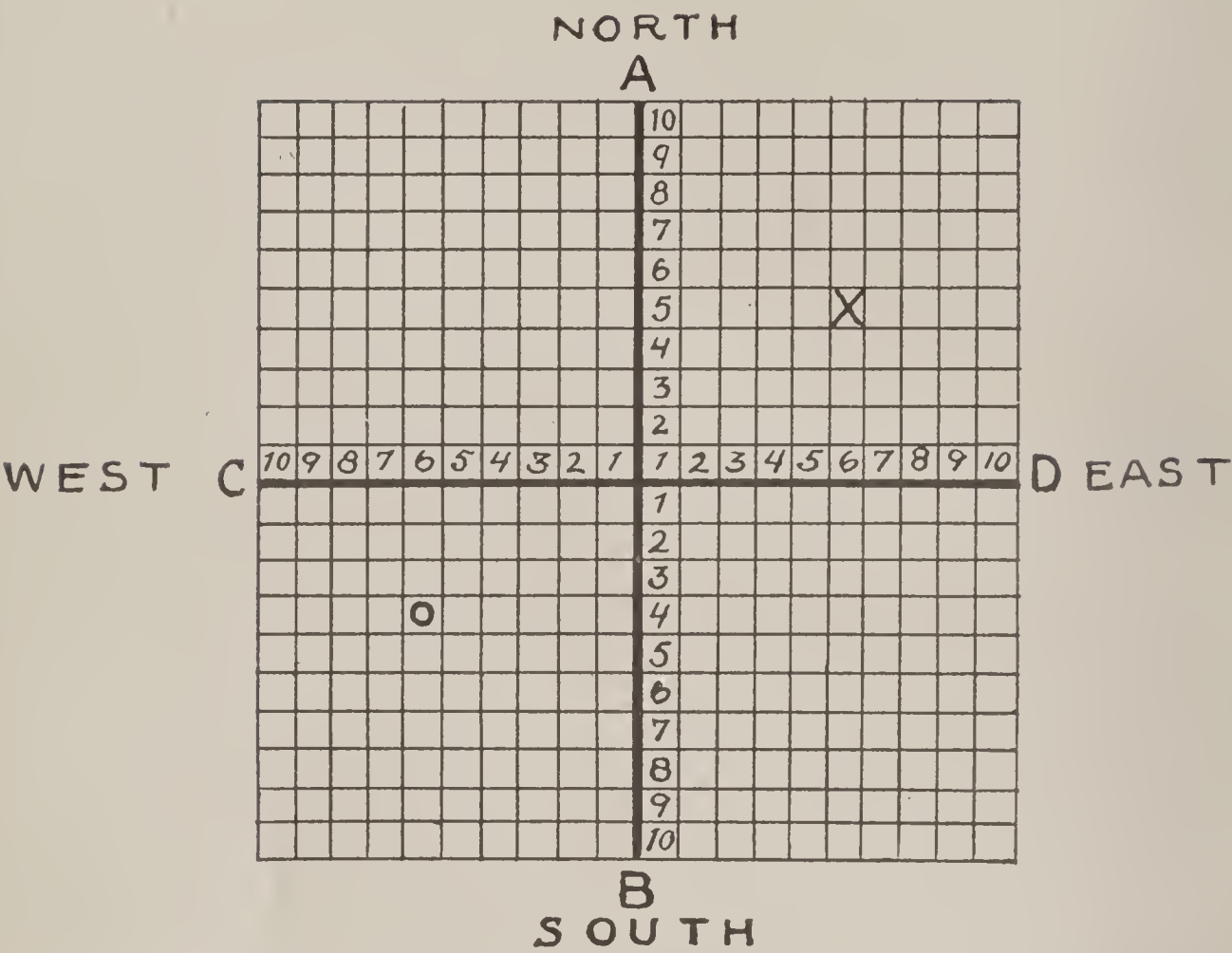
### TOWNSHIPS

In all States, except in the far west and in the south, each county is subdivided. The subdivisions are called towns or townships—towns in New England but townships in the Middle West. In Oklahoma they are termed townships and in turn are subdivided into road districts.

**Congressional Townships.**—A congressional township is not a division of local government. It has no officials, or political powers. The congressional township was created by Congress, soon after the Revolutionary War, when the western lands (west of the Allegheny Mountains) were to be surveyed. These lands were to be opened to settlement, but before this could be done some method had to be selected by which to fix and describe boundaries. The plan selected is illustrated on following page.

**Explanation of Plan.**—First a line, marked AB, was established running north and south. This line was called a **principal meridian**. Next another line, marked CD in the plan, was established running east and west at right angles to the principal meridian. This was called the **base line**. North and south lines called **range lines** were run six miles apart on each side of the principal meridian. East and west lines called **township lines** were run six miles apart on each side of the base line. In this way all the land was divided into congressional townships each six miles square.

The numbers on the principal meridian (AB) indicate the township lines, while those on the base line (CD) indicate the range lines. The location of a township is indicated by the position of its range and township lines. Thus the township marked O is Township 4 South, Range 6 West. This means that it is a township 18 miles south of the base line

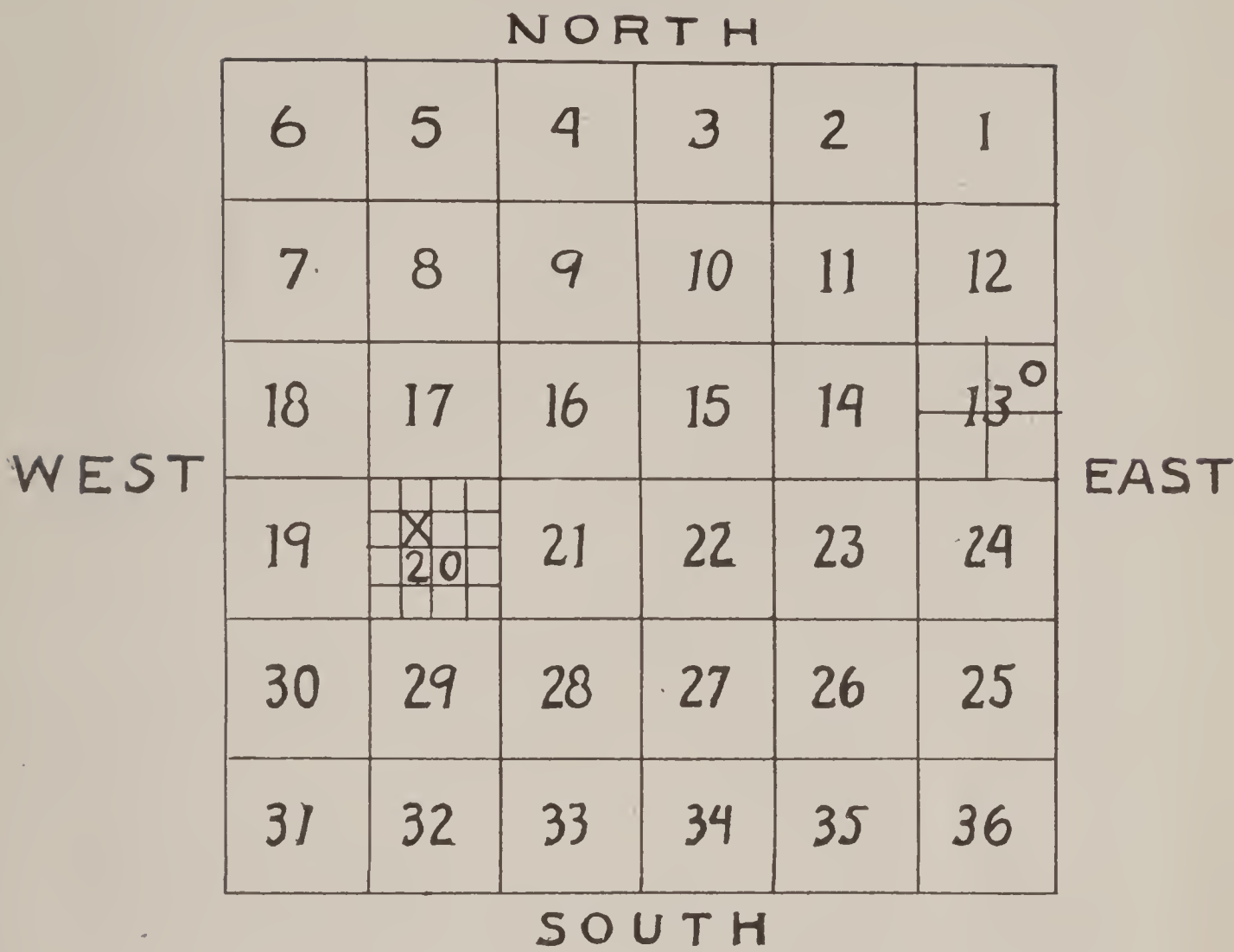


and 30 miles west of the principal meridian. The township marked X is Township 5 North, Range 6 East.

Each township is divided into thirty-six parts called **sections**; each section contains one square mile, or 640 acres. Each section is divided into four parts of 160 acres each called **quarter sections**. Sections are numbered from one to thirty-six as indicated in the plan on the following page.

**Explanation of Plan.**—The quarter section marked O in plan is the north-east quarter of section thirteen. The one fourth of a quarter section, or forty acres, marked X in plan is the south-east quarter of the north-west quarter of section twenty.

**Municipal Townships.**—Municipal townships are areas of local government. The chief powers of a township are vested in a **township board** consisting of three members—trustee, clerk and treasurer; two justices of the peace, and usually a constable for each justice of the peace.



The trustee is chairman of the township board; the clerk keeps the records of the district, and the treasurer controls the township funds. These men seldom meet more than four times during the year, and as a rule only for a short session. A justice of the peace has jurisdiction coextensive with the county in examining and committing felony cases, and in civil action where the amount involved does not exceed \$200.00. The justice of the peace never has jurisdiction in cases of libel or slander. The office of constable in the township is similar to that of sheriff in the county. He serves writs, and enforces the decisions of the justice of the peace.

The township is subdivided into road districts. For each road district a road overseer is elected.

### Suggestive Questions

How many municipal townships in your county?

Name them. What is the average size of these townships?

State the difference between a municipal township and a congressional township.

Give the numbers of the quarter section on which your home is located. Of the forty acres on which the school-house is located.

Name the officials of a municipal township and state the chief duties of each.



## CHAPTER V.

### TOWNS AND CITIES

There are no villages recognized in Oklahoma government. Densely populated communities are incorporated as towns and cities; those of fewer than two thousand inhabitants are called towns; those of two thousand or more than two thousand inhabitants, when properly organized, are called cities of the first class.

**Towns.**—No special population is required for the incorporation of towns. After the first preliminary steps in organization, the town is recognized by the county commissioners to be a legal municipality.

The town is divided into at least three, but not more than seven, districts or wards. Each district elects one trustee, and these trustees elect one of their own number as president. The president of the board of trustees thus becomes the chief executive of the town. The board of trustees constitutes the town's legislative assembly.

The other principal officers of the town are clerk, treasurer, marshal, and justice of the peace. Elections are held on the first Tuesday in April of each year.

The powers of the initiative and the referendum are reserved to the people of each town.

**Cities.**—A center of population containing two thousand or more inhabitants, when properly organized, is declared by the governor to be a city.

Cities are divided into at least four **wards** for governmental purposes. These wards serve as election precincts and as the basis of representation in the city council. Each ward is entitled to two councilmen, each elected for a term of two years, one councilman from each ward at each annual election.

The city council has power to change the boundaries of wards.

**The Mayor.**—The chief executive officer of a city is called the mayor. The mayor has power to suspend other city officials for incompetency or neglect of duty, until such time as the council may take action thereon; to appoint commissioners of park, water, sewers and light, city physician, police (except chief of police), and such other officers as are needed. He is the presiding officer of the city council and exercises the right of veto over its enactments. With the consent of the council, he may grant reprieves and pardons for offenses against city ordinances. His salary, which is fixed by ordinance, is generally small and in many cities throughout the state no compensation whatever is provided.

**City Clerk.**—The city clerk keeps the records of the proceedings of the council and of all monies disbursed from the city funds. He must sign all orders to pay money out of the city treasury. He also collects dog tax, occupation taxes, and other special taxes created by ordinance.

**City Treasurer.**—All funds belonging to the municipality are under the control of the treasurer. General taxes are collected by the County Treasurer and paid over to the City Treasurer, through whose office they are disbursed.

**City Attorney.**—The city attorney, in regard to the legality of acts in the discharge of their official duties, is the legal advisor of all city officials. It is his duty to bring action in courts in the name of the city when necessary; to defend all lawsuits against the city, and to prosecute offenders tried in the police court.

**City Marshal.**—The city marshal is usually called **chief of police**. He has general oversight of the peace of the city, and he is subject to the orders of the mayor only.

**Street Commissioner.**—The street commissioner has charge of the sidewalks and streets of the city. He has general supervision of all thoroughfares within the city limits and attends to all repairs and improvements thereon.

**City Council.**—The chief legislative authority of a city is vested in its council. In case of a tie the mayor has a right to vote.

The city council has power to levy taxes, audit accounts against the city, impose license taxes, erect public buildings, and direct or control public utilities. The public utilities most commonly under the control of the city are water, light and electric plants; street railways, public parks, drains and sewers. A city may, however, engage in any business or enterprise which may be engaged in by a private person, firm or corporation.

**Police Judge.**—The police judge is vested with the judicial authority to decide all cases of petty offences against the peace and dignity of the municipality.

**Justice of the Peace.**—In cities of more than twenty-five hundred inhabitants, two justices of the peace are elected. Justices of the peace, however, are elected at the county elections instead of at the city elections. Their jurisdiction is coextensive with the county boundaries instead of with the city boundaries. Cities of less than twenty-five hundred population elect one justice of the peace. In larger cities, additional justices of the peace may be elected.

**Constable.**—One constable is elected for each justice of the peace chosen. His duties, in the main, are to enforce the orders of the justice court, and to preserve the peace of the district.

**Initiative and Referendum.**—Through the **initiative**, the voters of a city have power to enact or enforce the enactment of ordinances. By the **referendum** the voters have power to reject ordinances passed by the council. Petitions for initiative or referendum in cities must contain the signatures of twenty-five per cent of the total number of voters in the city.

**Commission Form of Government.**—The form of government already described is called the **aldermanic form of government**. Cities containing two thousand or more inhabi-



tants may adopt the **commission form of government** as follows: First, a committee of freeholders (men who own real estate) is elected to draw up a charter for the city; Second, this charter is submitted to a vote of the people; Third, after adoption by a majority vote of the people, the charter is submitted to the Governor for his approval; and Fourth, after the Governor approves the charter one copy is filed with the Secretary of State, one with the Register of Deeds of the county in which the city is located, and another in the archives of the city.

Commission government abolishes all ward representation and substitutes a commission or committee of men (usually three or five in number) to direct the affairs of the city. The members of this commission are paid regular salaries and devote their entire time to the city's interests.

Many cities in Oklahoma have adopted (1912) the commission form of government.

Under this form of government the **commissioners are elected**, but all subordinates are appointed by the heads of departments. The number of officers to be elected (commissioners, etc.) and the departments of city government to be established depend of course upon the provisions of the adopted charter.

Amendments to a city charter are usually offered by a petition signed by twenty-five per cent of the voters and confirmed by a majority vote. However, the methods of proposing and adopting amendments vary in different cities.

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### Suggestive Questions

How many wards in a town?

Name the principal officers of a town.

When are annual town elections held?

How many wards in a city of the first class?

What are the duties of the mayor? City clerk? City

treasurer? City attorney? City marshal? Street Commissioner?

How many councilmen elected from each ward?

Name the chief powers of the city council.

What are the duties of the police judge? Justice of the peace? Constable?

How and for what purposes may the initiative and referendum be used in cities?

What is meant by commission form of government?

Under the commission form of government what officers are elected? What officers are appointed?

Under commission form of government, how are city charters usually amended?

## CHAPTER VI.

### Counties

States are divided into \*counties for convenience in local government. Counties in the same state are usually about the same size, but vary greatly in different states both as to area and population.

Oklahoma has 77 counties, and the State has a population (1910) of 1,657,155. The area is 70,470 square miles. In other words, the land area of an average county in Oklahoma is a little less than a thousand square miles. The population of an average Oklahoma county is approximately twenty thousand.

These counties, except Harmon and Cotton counties which were organized later, are designated and described in Article XVII of the State constitution. The city in which the county officials have their offices is called the **county seat**.

The principal officers of the county in Oklahoma are County Judge, Sheriff, Attorney, Treasurer, Register of Deeds, Surveyor, Assessor, Superintendent of Public Instruction, Weigher, Board of Commissioners (three members), and Clerk of the District Court.

**County Judge.**—The Judge of the County Court must be a qualified voter, a resident of the county, and a licensed lawyer. He is provided with a clerk whom he appoints. This court has original jurisdiction in all probate matters and concurrent jurisdiction with the district court in civil cases in any amount not exceeding one thousand dollars, exclusive of interest. The County Judge also holds **juvenile court**. The County Court has no jurisdiction in cases of action for alimony or divorce, slander or libel, or against any officer for misconduct in office.

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\*Counties exist in every state except Louisiana, where districts and parishes prevail.

**Sheriff.**—The Sheriff is purely an executive officer. His duties are to arrest criminals, have charge of juries, witnesses and prisoners, and to attend court and serve writs of county, district, and justice courts.

**Attorney.**—The County Attorney is the legal advisor of all county officials, and represents the county in all lawsuits to which the county is a party. He prosecutes criminal cases (in the name of the State) which arise within his county.

**Clerk.**—The County Clerk must attend sessions of the Board of County Commissioners; keep the seal, records and papers of the board; sign and attest their records of proceedings and their orders. He is bookkeeper for the county, and draws county warrants on the County Treasurer for all money paid by the county.

**Treasurer.**—The County Treasurer collects all taxes, receives all money due the county, and pays out money for the county when properly authorized to do so.

**Register of Deeds.**—The Register of Deeds keeps a record of all deeds, mortgages, leases, and in fact of everything that in any way pertains to real estate titles or chattel mortgages. He also records charters of cities, etc.

**Surveyor.**—The duties of the County Surveyor are to survey public improvements, such as plans for roads; also town-sites, etc., within his county.

He receives only a small salary from the county. As his full time is not required by the county his other remuneration comes from private employment.

**Assessor.**—The Assessor makes or supervises all assessments of property in the county and receives a salary depending upon the total assessed valuation of the county.

**Superintendent of Public Instruction.**—The County Superintendent has general supervision of all school instruction in his county (except in certain cities); of the certification of teachers and Teachers' Institutes. He decides disputes as to boundary lines of districts, and is a member of the county Excise Board. He is the adviser of teachers and school board members in his county.



**Weigher.**—This office was created by the legislature in order to standardize weights and protect the farmers from possible fraud in selling cotton, grain, etc. The compensation of the county weigher is from fees.

**Board of Commissioners.**—There are three County Commissioners constituting the Board, which has supervision of roads, bridges, buildings, and other county property. This board makes the county tax levy. The County Commissioners also appoint a County Board of Health to look after the general health of the community and to establish quarantines when necessary. All bills against the county must be allowed by the Board of Commissioners before being audited by the County Clerk or paid by the County Treasurer. County Commissioners are elected from each of three commissioners' districts.

**Clerk of the District Court.**—The clerk of the district court is elected by the voters of the county. It is his duty to keep all the records of the district court within his county; to serve under the district judge during each term of district court held in his county, and when the court is not in session to make such records as are required by law.

**County Excise Board.**—The County Excise Board is composed of the County Clerk, County Treasurer, County Judge, County School Superintendent and County Attorney.

This Board meets at the county seat on the last Saturday in July of each year for the purpose of examining the estimates of expenses of the county and of each city, incorporated town, township and school district in the county. The excise board has power to revise and correct any estimates where the amount is in excess of just and reasonable need. Levies revised and corrected by this board are certified to the County Clerk who extends them upon the tax rolls.

**County Superior Court.**—In counties having a population of thirty thousand or more, and having therein a city of eight thousand or more inhabitants, a Superior Court is established. This court has concurrent jurisdiction with the District



Court in all matters and concurrent jurisdiction with the county court in all civil and criminal matters except matters of probate.

**Eleemosynary Institutions.**—In Oklahoma each county provides a county farm as a home for the poor and dependent, or in lieu thereof gives financial assistance. Assistance is issued by the County Commissioners, for the care of such persons as are, by reason of age, infirmity, or misfortune, unable to earn a living.

**Compensation.**—All county officers, unless otherwise specified in the text, have fixed salary. Provisions were at first, in most cases, made for fees, but the salary schedule was established for reasons of economy.

**Term of Officers**—County officials are elected for a term of two years.

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### Suggestive Questions.

How many counties in Oklahoma?

Give the average area and population of counties in Oklahoma. What is the area and population of the county in which you live?

What is the county seat of your county?

Name the county officials in your county and give the chief duties of each.

How does your county care for the poor?



Governor Lee Cruce

# PART THREE

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## STATE GOVERNMENT

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### CHAPTER VII.

#### Oklahoma Constitution

**Constitutional Convention.**—The delegates to the State Constitutional Convention, elected under the provisions of the Enabling Act, met at Guthrie November 20, 1906. The convention, though not in session continuously, did not adjourn until July 16, 1907.

**Great Length of the Constitution.**—Because of the peculiar relations of the two territories united in single statehood much material which otherwise would not have been provided was insterted, making this constitution one of the longest documents of its kind ever submitted. However, the very nature of the document itself called for many particulars and therefore included much detail. These features, of course, have made it a document of great length.

**Contents of the Oklahoma Constitution.**—The Constitution of Oklahoma consists of twenty-four Articles, a "Schedule," Prohibitory Provision (submitted as a separate issue), and a resolution accepting the Enabling Act. Some of these articles are necessarily complete in detail and therefore are of great length. This is especially true of the article on Corporations and the one on Prohibition. The several Articles in their order are as follows:

I.—Federal Relations; II.—Bill of Rights; III.—Suffrage; IV.—Distribution of Powers; V.—Legislative Department; VI.—Executive Department; VII.—Judicial Department;

VIII.—Impeachment and Removal from Office; IX.—Corporations; X.—Revenue and Taxation; XI.—State and School Lands; XII.—Homesteads and Exemptions; XIII.—Education; XIV.—Banks and Banking; XV.—Oath of Office; XVI.—Public Roads, Highways, and Internal Improvements; XVII.—Counties; XVIII.—Municipal Corporations; XIX.—Insurance; XX.—Manufacture and Commerce; XXI.—Public Institutions; XXII.—Alien and Corporate Ownership of Lands; XXIII.—Miscellaneous; XXIV.—Constitutional Amendments.

**Federal Relations.**—The Constitution provides that Oklahoma is an inseparable part of the federal state and that the Constitution of the United States is the supreme law.

**Religious Toleration.**—As to the toleration of religious sentiments the Constitution says that “Perfect toleration of religious sentiment shall be secured, and no inhabitant of the state shall ever be molested in person or property on account of his or her mode of religious worship; and no religious test shall be required for the exercise of civil or political rights.”

**Public Schools.**—The Constitution provides that a system of free public schools open to all children of the state and free from all sectarian control shall be organized and maintained. It also contemplates the establishment and maintenance of separate schools for white and colored children. Indian children are recognized as white children, and children of African descent are termed colored.

**Prohibition in Indian Territory and Indian Reservations.**—Provisions of the Constitution (made necessary by the federal relations with Indian tribes relative to the sale of intoxicating drinks) prohibit the introduction and sale of liquor in Indian Territory, Osage Nation, or any Indian Reservation for twenty-one years from the admission of Oklahoma into the Union.

**The Bill of Rights.**—Article II of the Constitution is known as the Oklahoma Bill of Rights and is more complete in detail



than such constitutional provisions usually are. Most of the provisions in the Bill of Rights are those usually found in State constitutions, but a few are characteristic of Oklahoma only. (This bill of rights is published in full in Appendix A).

**Writ of Habeas Corpus.**—Section 19 of Article II, relating to writ of habeas corpus, is a distinctive departure from the ordinary law. It provides that “the privilege of the writ of habeas corpus shall **never be suspended** by the authorities of this State.” The usual provision is that such suspension shall not be made in time of peace.

**Fellow-servant Law.**—The common law doctrine of fellow-servants, in so far as it affects the master’s liability for injuries of his servant resulting from the acts or omissions of any other servant or servants of the common master, is abrogated by the Constitution of Oklahoma. In this state any employee has a right to recover from his employer for any damages resulting from acts or omissions of a fellow servant.

**Corporations.**—Corporations are prohibited from influencing elections or official duty by contributing money or other valuables, and are compelled to submit differences with employees, in reference to labor, to arbitration as provided by law.

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### Suggestive Questions

When and where did the Constitutional Convention meet?

Why is the Oklahoma Constitution so lengthy a document?

What is the relation of Oklahoma to the national government?

What is religious toleration? What provisions are made in the state constitution for public schools?

What is prohibition? How long must it be enforced in that part of the state which formerly comprised Indian Territory?

What is a Bill of Rights? Writ of Habeas Corpus?

What is the Fellow-servant Law of Oklahoma?

## CHAPTER VIII.

### Executive Department

The executive power of the State is vested in a Governor, Lieutenant Governor, Secretary of State, State Auditor, Attorney General, State Treasurer, Superintendent of Public Instruction, State Examiner and Inspector, Chief Mine Inspector, Commissioner of Labor, Commissioner of Charities and Corrections, Commissioner of Insurance, and other officers provided by law. These officers are each elected for a term of four years.

**Executive Officers.**—No person shall be eligible to the office of Governor, Lieutenant Governor, Secretary of State, State Auditor, Attorney General, State Treasurer, Superintendent of Public Instruction, or State Examiner and Inspector except a male citizen of the United States, of the age of not less than thirty years, and who shall have been three years next preceding his election, a qualified elector of this State.

Neither the Governor, Secretary of State, State Auditor, or State Treasurer is eligible to immediately succeed himself in office.

**Governor.**—The Governor is, of course, the supreme executive officer, but since other state executive officers are also elective, and not appointed as in the national government, his authority over them is quite limited. The chief powers and duties of the Governor are as follows: Commander-in-chief of the militia (except when in the service of the United States) and he may call out the militia to execute the laws, protect the public health, suppress insurrection, and repel invasion. The Governor has power to convoke the legislature, or the Senate only, in special session; to grant pardons; to veto acts of the legislature; to commission all officers not

otherwise commissioned by law; and to adjourn the legislature when the two branches thereof cannot agree as to the time of adjournment.

**Lieutenant Governor.**—The Lieutenant Governor holds the right of succession in office to the Governor and is the presiding officer of the Senate.

**Secretary of State.**—The Secretary of State keeps a register of the official acts of the Governor and is the custodian of the State Seal. The State Seal of the State of Oklahoma is described as follows: “In the center shall be a five-pointed star, with one ray directed upward. The center of the star shall contain the central device of the seal of the Territory of Oklahoma, including the words, \*‘Labor Omnia Vincit.’ The upper left hand ray shall contain the symbol of the ancient seal of the Cherokee Nation, namely: A seven-pointed star partially surrounded by a wreath of oak leaves. The ray directed upward shall contain the symbol of the ancient seal of the Chickasaw Nation, namely: An Indian warrior standing upright with bow and shield. The lower left hand ray shall contain the symbol of the ancient seal of the Creek Nation, namely: A sheaf of wheat and a plow. The upper right hand ray shall contain the symbol of the ancient seal of the Choctaw Nation, namely: A tomahawk, bow, and three crossed arrows. The lower right hand ray shall contain the symbol of the ancient seal of the Seminole Nation, namely: A village with houses and a factory beside a lake upon which an Indian is paddling a canoe. Surrounding the central star and grouped between its rays shall be forty-five small stars, divided into five clusters of nine stars each, representing the forty-five states of the Union, to which the forty-sixth is now added. In a circular band surrounding the whole device shall be inscribed, ‘GREAT SEAL OF THE STATE OF OKLAHOMA, 1907.’ ”

**Examiner and Inspector.**—The State Examiner and Inspector examines the State and County Treasurers’ books, accounts, and cash on hand, and publishes his full report.

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\*Labor conquers all things.



He also prescribes a uniform system of bookkeeping for all Treasurers, whose books are subject to his inspection.

**Commissioner of Labor.**—The Commissioner of Labor is ex-officio Chairman of the Board of Arbitration and Conciliation in the Labor Department. He is, in a general way, in control of the whole Department of Labor.

**Insurance Commissioner.**—The Insurance Commissioner must be well versed in insurance matters. He has charge of the enforcement of insurance laws, especially as to authorizing insurance companies to transact business within the State.

**Auditor.**—The State Auditor examines and adjusts all accounts and claims against the State. In many states the Auditor is called the Comptroller. No money can be expended for state accounts except on warrants drawn by the Auditor. The State Auditor in Oklahoma is also one of the School Land Commissioners.

**Attorney General.**—The Attorney General is the State's legal adviser. This duty is performed by rendering opinions on questions of law submitted to him by state officials. His duties also include the prosecution of certain criminal acts. He represents the State in all lawsuits where the State is a party.

**State Superintendent.**—The State Superintendent of Public Instruction is ex-officio Chairman of the State Board of Education, has general supervision of educational matters, and is the adviser in matters pedagogical and legal of county and city superintendents. In legal questions he has a right to the assistance of the Attorney General. He is also a member of the School Land Commission.

**Treasurer.**—The State Treasurer receives all state money, receipts for the same, and pays it out upon warrants issued by the State Auditor.

**Commissioner of Charities and Corrections.**—The Commissioner of Charities and Corrections has power to investigate Public Institutions of Charities and Corrections, but the

legislature has power to add to the duties of the office. Eligibility is not restricted by sex, but the officer must be twenty-five years of age and possess the essential qualifications of other executive officers.

**Chief Mine Inspector.**—No person who has not had at least eight years experience as a practical miner is eligible to the office of Chief Mine Inspector. He has charge of all district mine inspectors and a general oversight of all mining interests as to the enforcement of laws to safeguard human life.

**Printer.**—A State Printer is elected to supervise all contracts for state printing required by the several state officers.

**Corporation Commissioners.**—There are three Corporation Commissioners elected, each for a term of six years. This commission is clothed with the authority of a court. The commission is given the right to inspect the books of any railroad company or any other public-service corporation, at such time as the commission deems necessary, and to examine under oath any officer, agent, or employee of such corporation.

It is the duty of the Corporation Commissioners to regulate all transportation and transmission companies doing business in the state.

Decisions of the Corporation Commission prescribing rates, etc., may be appealed to the Supreme Court.

**Commissioners of the Land Office.**—The Commissioners of the Land Office—Governor, Secretary of State, State Auditor, Superintendent of Public Instruction, and President of the Board of Agriculture—have charge of the sale, rental, disposal and managing of the school lands and other lands of the state, and of the funds and proceeds derived therefrom under rules and regulations prescribed by the legislature.

**Board of Agriculture.**—The State Board of Agriculture consists of a President elected by the voters of the state at large and ten members (must be farmers) elected by dele-

gates from Farmers' County Institutes. This board has jurisdiction over all matters affecting animal industries and animal quarantine regulations, and acts as a Board of Regents for all Agricultural and Mechanical Colleges .

**Board of Education.**—The State Board of Education is composed of the State Superintendent, who is ex-officio chairman, and six other members appointed by the Governor, by and with the advice of the Senate, for six years. Two members of the board are appointed each biennium. The law (Senate Bill 132 of 1911) also requires that at least "two of them shall be practical school men who shall have had at least four years work, two years of which shall have been in the state of Oklahoma." The board members do not receive regular salaries but their actual expenses and six dollars per day for each day in actual service of the State constitutes their remuneration. They are the Board of Regents for all State Educational Institutions, except the Agricultural and Mechanical College and the branch Agricultural Schools. They also serve as a State Textbook Commission, prescribe courses of study and rules for the issuance of teacher's certificates, and in a general way administer the educational affairs of the State.

**Board of Affairs.**—The State Board of Public Affairs has charge of all purchases made by the State and of all construction, repair, maintenance and insurance of all public buildings. This board consists of three members appointed by the Governor.

**Banking Board.**—A State Banking Board, appointive, has power to regulate and control state banks, loan, trust, and guaranty companies.

A law also prescribes the manner in which state banks may be operated and provides that the State Banking Board shall collect a guaranty fund from state banks. This fund shall be used to guarantee all the deposits held in state banks.



The legal rate of interest is six per cent. and the contract rate is ten per cent. A penalty is provided (forfeiture of entire amount of interest) for usury.

**State Game and Fish Warden.**—The laws of Oklahoma protect all game and fish in the state from unreasonable destruction by providing regulations by which those seeking to catch fish or kill game must be governed. To supervise the enforcement of these laws the Governor appoints a State Game and Fish Warden. The State Game and Fish Warden, all deputy wardens appointed by him, and also all county clerks are authorized to issue to any citizens of the state over fourteen years of age an annual license to hunt or fish. For issuing a hunting license, a fee of one dollar and twenty-five cents is charged. All salaries and expenses of the Game Warden and his deputies are paid from funds derived from such fees.

**Other Appointive State Officers.**—The Governor appoints a State Fire Marshal to investigate incendiary fires, etc.; a State Commissioner of Health to investigate violations of pure food and drug laws and in a general way seek to improve health conditions in the State; a State Highway Commissioner to encourage the building and improvement of public roads, and an Adjutant General through whom the affairs of the state militia are administered.

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### Suggestive Questions

Name the chief executive officers of the State. What are the chief powers and duties of the Governor? Lieutenant Governor? Secretary of State? Examiner and Inspector? Commissioner of Labor? Insurance Commissioner? Auditor? Attorney General? State Superintendent? Treasurer? Commissioner of Charities and Corrections? Chief Mine Inspector? Printer?

Describe the State Seal.

How many Corporation Commissioners are there? For

how long a term are they elected? What are the chief powers and duties of these Commissioners?

What state officials also serve as Commissioners of the Land Office?

What are the powers and duties of the State Board of Agriculture?

What are the chief powers and duties of the State Board of Education?

What are the duties of the State Board of Public Affairs? State Game and Fish Warden? State Banking Board?

What is the legal rate of interest? Contract rate? Penalty for usury?

What are the duties of the State Fire Marshal? Commissioner of Health? Highway Commissioner? Adjutant General?



## CHAPTER IX.

## LEGISLATIVE DEPARTMENT

**Initiative.**—The Constitution vests the legislative authority of the State in a legislature consisting of a Senate and House of Representatives, but the voters also have legislative powers reserved to themselves in provisions for the initiative and referendum. That is, the people may, by a petition of eight per cent. of the legal voters of the State, initiate and cause a bill to be voted upon, and if a majority of the total vote is affirmative the bill is declared a law.

**Referendum.**—The referendum, upon any measure passed by the legislature, may be called for by a petition of five per cent of the legal voters. This must be done not more than ninety days after the final adjournment of the legislature. The petitions for the initiative and referendum are filed with the Secretary of State but addressed to the Governor. Any measure rejected by the people, through the powers of the initiative and referendum, cannot be again submitted through the initiative and referendum within three years thereafter by less than twenty-five per cent of the legal voters. It requires fifteen per cent of the legal voters to initiate an amendment to the State Constitution.

**The Senate.**—A Senator must be at least twenty-five years of age, must be an elector of his respective district, and must reside therein during his term of office. The State is divided into thirty-three districts, and there are in all forty-four senators. The Lieutenant-Governor is ex-officio President of the Senate, but the Senators may elect one of their own members president pro tempore and he presides over the deliberations of the Senate in the absence of the Lieutenant Governor. The Senate has some executive powers,

chief of which is that of passing upon certain appointments made by the Governor.

**House of Representatives.**—The House of Representatives consists of one hundred and nine members. This number may be increased as the population of counties increases. A representative must be twenty-one years of age at the time of his election, must be a qualified elector of his respective district, and must reside therein during his term of office. The House elects one of its own members as Speaker. Regular sessions are held biennially, at the seat of government, beginning on the first Tuesday after the first Monday in January in the next year succeeding their election. The legislature has power to change date of meeting. There are many limitations upon the power of the legislature to pass local or special laws. Bills for raising revenue must originate in the House, but the Senate may propose amendments thereto. Emergency legislation is not subject to the referendum but other laws than those to which an emergency clause is attached are in full force and effect only after ninety days have elapsed from the date of the adjournment of the legislature.

**Amendments to the State Constitution.**—The State Constitution of Oklahoma may be amended by a majority of all the votes cast at an election called to adopt or reject such amendment. Amendments may be proposed by an initiated petition or by a two-thirds vote of the State Legislature. The Governor upon receipt of an initiated petition may call an election to vote upon amendments to the Constitution. The question of calling a convention to revise the Constitution must be submitted to the electorate every twenty years.

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### Suggestive Questions

What is the initiative? What per cent of the legal voters is necessary for a petition to initiate a law? What per cent to initiate an amendment to the Constitution?

What is the referendum? What per cent of the voters is necessary on a petition to invoke the referendum against an act of the legislature?

What are the qualifications of a State Senator? Who presides over the Senate? What executive power has the Senate?

How many members compose the House of Representatives? Who presides over the House? When are regular sessions of the legislature held? What is emergency legislation?

How may the State Constitution be amended? How often must the question of amendments to the Constitution be submitted?

## CHAPTER X.

### JUDICIAL DEPARTMENT

**Power Vested.**—The judicial power of this state is vested in the Senate, sitting as a court of impeachment, a Supreme Court, District Courts, County Courts, Courts of Justices of the Peace, Municipal Courts, and such other courts, commissions or boards, inferior to the Supreme Court, as may be established by law.

**Impeachment.**—A trial for misconduct in office is termed impeachment. The Oklahoma Constitution provides that elective state officers and Supreme Judges are subject to impeachment, and that all other elective officers not liable to impeachment are subject to removal from office by due process of law. When impeachment proceedings are held, the senate sits as a Court of Impeachment and at such times each senator is under special oath.

**Supreme Court.**—The Supreme Court consists of five justices, one from each of five supreme court judicial districts, elected at large for a term of six years. Each justice of the Supreme Court must be a citizen of the United States, resident of the State two years, and of the supreme court judicial district from which he is elected, one year; thirty years of age, and a licensed lawyer or a judge of a court of record.

This court has original jurisdiction and control over all inferior courts and all commissions and boards created by law; and appellate jurisdiction, co-extensive with the State, in all civil cases at law and in equity.

**Supreme Court Clerk.**—The Clerk of the Supreme Court is an elective officer. The duties of the clerk are to keep the records of the Supreme Court and of the Criminal Court of Appeals. He is paid by fees.



**Criminal Court of Appeals.**—The Criminal Court of Appeals is composed of three justices, elective, and has appellate jurisdiction, co-extensive with the State, in all criminal cases coming from county, superior, or district courts. Term of office six years.

**District Court.**—The District Court is of vast importance because of its great authority and direct contact with the people. This court has original jurisdiction in all cases civil or criminal, except when exclusive jurisdiction is by the Constitution, or by law, conferred on some other court. It has extensive appellate jurisdiction also.

A District Judge must be an experienced, qualified lawyer and a resident of the State.

(County Courts, Courts of Justices of the Peace, Superior Courts and Municipal Courts have been discussed in previous chapters.)

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### Suggestive Questions

How is the judicial power of the State vested?

Name the various courts.

How may elective State officers and judges of the Supreme Court be removed from office?

How many judges constitute the Supreme Court? What are their qualifications? Tenure of office? What original jurisdiction has the Supreme Court? Appellate jurisdiction?

What are the duties of the Clerk of the Supreme Court? How is he paid?

How is the Criminal Court of Appeals composed? What jurisdiction has this court? What is the term of office for judges of the Criminal Court of Appeals?

Why is the District Court of so much importance? What original jurisdiction has this court? Appellate jurisdiction?



## CHAPTER XI.

### REVENUE AND TAXATION

**Assessments.**—Assessments are made by a county assessor and the property must be assessed at a fair cash value. Property is assessed to the person who owned it on the first day of March. In June, beginning on the first Monday, the county equalization is made by the County Board, and later the state equalization board passes upon all property assessments.

**Tax Limits.**—Except as provided for schools and public buildings, the total tax that may be levied on an ad valorem basis for all purposes—state, county, township, city or town, and school district taxes—shall not exceed, in any one year, thirty-one and one-half mills on the dollar. Additional levy for schools may be made as follows: State levy, not more than three and one-half mills; county levy, not more than eight mills; township levy, not more than five mills; city or town levy; not more than ten mills; school district levy, not more than five mills (or an additional ten mill increase for schools by a majority vote).

Valuations of property are finally adjusted by the State Board of Equalization, which consists of the Governor, State Auditor, State Treasurer, Secretary of State, Attorney General, Inspector and Examiner, and President of the Board of Agriculture.

Provisions are also made for the enactment of laws prescribing levy of license, franchise, gross revenue, excise, income, collateral and direct inheritance, legacy, succession, and other specific taxes.

The limit of public indebtedness is fixed at an aggregate of four hundred thousand dollars which may be increased to repel invasion.

**Suggestive Questions**

By whom is property assessed? To whom is property assessed? What boards review assessments?

What is the tax limit? What additional levies may be made?

What officers are members of the State Board of Equalization?

What taxes other than ad valorem taxes may be levied?

What is the limit of public indebtedness?

## CHAPTER XII.

### SUFFRAGE AND ELECTIONS

**Public Officials.**—Public officials are either elected to office by the voters or appointed to office by some official who has been elected. In the earlier periods of our national life all officials except the chief executive and members of the legislature were appointed. This is still the rule in national government but not in state governments. In Oklahoma (except in cities which have adopted the commission form of government) the chief officials, executive, judicial and legislative, are elected.

**Suffrage.**—Political rights are extended to women in some states. In Oklahoma, except in school district elections, the right of franchise is extended to men only. A citizen must be at least twenty-one years of age, and must have resided in the state one year, county six months, and precinct thirty days before the right of franchise may be exercised.

Persons adjudged guilty of felony, or persons who are kept at public expense, are not entitled to vote or to hold office.

**Registration.**—The laws of Oklahoma require voters in cities of the first class to register. This precaution is taken to insure that only those who are entitled to vote will be permitted to do so. In rural or town precincts the judges of the precincts are usually personally acquainted with the individual voters and registration is hardly essential.

**Mandatory Primary Elections.**—In the general election the voter may vote for any person, but previously all but one candidate in each political party for each office have been eliminated by a primary election.

The Constitution of Oklahoma provided that a mandatory primary law should be enacted and that whenever the "Federal Constitution may permit, the election of United States Senator shall be by direct vote." A mandatory primary law is now (1912) in force in this state.

**Elections.**—Elections for state officials are held every four years; for county officials, every two years.

**State Election Board.**—The State Election Board consists of three members, appointed by the Governor and confirmed by the Senate. Not more than two of these board members shall be of the same political party. The duties of the board are as follows: To canvass the election returns for the State; to appoint and supervise county election boards; and to supervise the elections.

**County Election Boards.**—Three members, appointed by the State Election Board, constitute the County Election Board. This board canvasses county returns; supervises all matters appertaining to county elections; and appoints precinct election board members.

**Precinct Election Boards.**—Three members, appointed by the County Election Board, constitute the Precinct Election Board, and this board has powers and duties in the precinct election similar to the powers and duties of other election boards in their respective units.

**The Ballot.**—With each of the ballots is printed a "stub" which has blanks for the voter's name, post office, street number, etc. This information is retained by the election officials to be used as a means of verification in case of contests. As the voters are previously registered this "stub" becomes of vast importance in contest proceedings.

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### Suggestive Questions

In the national government what officials are elected? In Oklahoma government what officials are elected?

Who may vote in Oklahoma elections? Who may not vote in Oklahoma elections?

Why is registration required of voters in city precincts?

How are candidates nominated?

How often are general elections held for electing state officials? County officials?

Describe the duties of the State Election Board; County; Precinct.



# PART FOUR

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## NATIONAL GOVERNMENT

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### CHAPTER XIII.

#### CONSTITUTION OF THE UNITED STATES

**United Efforts of Colonies.**—Each of the English colonies of America had a separate government, but all the colonies had some common interests. As the differences with the mother country became more grave the common interests of the colonies became more apparent.

**Continental Congress.**—The acts of the British government, Stamp Act, etc., finally brought about a united effort of resistance on the part of the colonies. In 1774 the First Continental Congress was held by the colonies. In this congress all but one of the colonies were represented. In the following year, 1775, all the thirteen colonies were represented in the Second Continental Congress. It was this congress that organized the continental army, appointed George Washington as commander-in-chief, and adopted the Declaration of Independence.

**Articles of Confederation.**—After the Revolutionary War the colonies became states. As each adopted a written constitution, the Articles of Confederation were adopted as a fundamental body of laws for the nation.

Ratification of the Articles of Confederation by all states was not secured until 1781. It was soon found that the Articles of Confederation were not sufficient for the general government and a Constitutional Convention was called in Philadelphia in 1787.

**Ratification of the Constitution.**—In framing the Constitution many compromises were made but serious objections still remained in many states so that it was a long time before all the states had ratified. Only the ratification of nine of the thirteen states was required and the ninth state ratified the Constitution in June, 1788. From that date the Constitution of the United States has been the supreme law of the land. Because the powers are divided between the national government and the state governments our government is called a **Federal Government**.

**Provisions of the Constitution of the United States.**—The Constitution of the United States provides: Art. I, for the Legislative Department of Government; Art. II, Executive Department; Art. III, Judicial Department; Art. IV, Interrelations of States; Art. V, Amendments; Art. VI and Art. VII, Miscellaneous matters.

The first ten amendments were adopted immediately after ratification as a bill of rights; the eleventh amendment, which prevents a person from suing a state, was adopted in 1798; the twelfth amendment (regulating the election of President) was adopted in 1804; the thirteenth, fourteenth, and fifteenth amendments were adopted after the Civil War, 1865-1870, to abolish slavery and grant personal and political rights to ex-slaves. A sixteenth amendment, proposed by Congress, giving the national government a right to levy an income tax, has not yet (1912) received the ratification of the required number of states.

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### Suggestive Questions

Why did the English colonies unite?

What were the most important acts of the Second Continental Congress?

When did the Constitution of the United States become binding?

State the nature of each of the general divisions of the Constitution of the United States.

Discuss the amendments to the Constitution of the United States.

## CHAPTER XIV.

### EXECUTIVE DEPARTMENT

**The President.**—The chief executive is the President, elected, not by direct vote, but by presidential electors who are elected by direct vote. His term of office is four years. His salary is \$75,000.00 per year. No one who has been naturalized in order to become a citizen may be elected president.

The President and Vice President are the only national officials elected by the nation at large. All other important officials are appointed by the President. The President has the power of removal over any officials appointed by him except the judges.

The President has power to grant reprieves, commutations, and pardons for offences committed against the United States. He is commander-in-chief of the army and navy. He may exercise the right of veto of acts of Congress. He appoints ambassadors, ministers, consuls and other officials who reside in foreign countries in order to attend to matters affecting the United States or its citizens. The regulations governing representation in foreign countries are fixed by treaties.

**Civil Service.**—There are so many appointive positions in the service of the national government that it is impossible for the President or any other single individual to judge rightly of every applicant, hence laws to regulate the examination and appointment of persons to positions in public service have been passed by Congress. These are called **civil service laws**.

In 1910, there were 384,088 officials and employees in the civil service. Of these, over nine thousand were appointed by the President, and more than two hundred thousand were subject to civil service examinations. The government



since 1883 has been gradually extending the civil service law to all parts of the public service.

**The Cabinet.**—The national executive departments established at first were State, Treasury, War, and Justice. The following departments have since been established: Navy; Post Office; Interior; Agriculture; Commerce and Labor. The heads of these nine departments constitute the Cabinet of the President.

It is the duty of the officers of this cabinet to advise with the president as to governmental policies whenever requested to do so. Regular and special cabinet meetings are held. The members of this Cabinet are appointed by the President and confirmed by the Senate.

The heads of departments are called Secretaries, except in the case of the Post Office and Justice, where they are called Postmaster-General and Attorney-General respectively.

Departments are usually subdivided into **bureaus** or **offices**, and these into **divisions**. The head of a bureau is called a **Commissioner** and the head of a division is called a **Chief**.

The Department of State keeps a record of the acts of the President, the official documents of Congress, and all treaties. The most important bureaus in this department are the **diplomatic** and **consular bureaus**.

In the Department of the Interior the bureau of **education** is of great importance. The bureau of **child welfare** is also of vital importance. This bureau was established in 1912. It has to do with all matters that may work for the betterment of child life, such as compulsory school attendance, child labor laws and medical inspection of schools.

Those living in rural communities come into direct contact with the Department of Agriculture through the bureaus of **animal industry**, **weather bureau**, and **experiment stations**.



People in cities come into more direct contact with the department of Commerce and Labor through the bureaus of standards, immigration and naturalization, navigation and light house service.

All of us come in contact with the Post Office Department.

**Unclassified.**—The **Inter-State Commerce Commission**, **Civil Service Commission**, **Government Printing Office**, **Smithsonian Institution**, and the **Library of Congress** are all of special value to the citizens but they are outside of any established department.

**The Vice-President.**—The Vice-President is the presiding officer of the Senate, but he has little else in the way of public service to perform.

If the President dies, resigns or for any reason is unable to perform the duties of his office the Vice-President becomes acting President. There have been five cases of presidential succession and in each case the Vice-President became President.

In case of a vacancy both in the presidency and vice presidency the appointive executive officers beginning with Secretary of State would succeed to the presidency.

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### Suggestive Questions

How is the President of the United States elected? What is his salary. Term of office?

Who succeeds in case of a vacancy in the office of President? In case of a vacancy both in presidency and vice presidency?

Explain the President's powers. Civil Service Laws.

Enumerate the Executive Departments of the national government.

Who compose the President's Cabinet?

What are bureaus? Divisions? Commissioners?

With what departments, bureaus or commissioners do people of this school district have dealings?

## CHAPTER XV.

## LEGISLATIVE DEPARTMENT

The Legislative Department of the National Government consists of the Senate and House of Representatives. This branch of government is called **Congress**. Congress meets in regular sessions every year at Washington, D C., on the first Monday in December. Special sessions may be called by the President.

**House of Representatives.**—Members of the House of representatives are apportioned to the several states according to population. The ratio now (1912) is one representative for every 211,877 population. This ratio is fixed by Congress once every ten years. Representative districts in each state are fixed by the state legislature thereof.

The representatives in Congress are elected by direct vote of the citizens. Oklahoma at present (1912) has eight representatives.

The House of Representatives elects one of its own members as **Speaker**, or presiding officer.

**The Senate.**—The states are represented in Congress by senators—two from each state. Senators are usually elected by the legislature of the State, not by direct vote of the people. However, this plan of **indirect** election of senators is not satisfactory and a strong demand is being made for a change in the National Constitution so that senators may be elected by direct vote of the citizens. The term of office of a senator is six years.

**How Laws are Passed in Congress.**—Acts of Congress are passed much as acts of the state legislature are passed, that is, the proposed measure after receiving a majority of votes in the house in which it originated is sent to the other house and if a majority of that house vote for it the measure is

then sent to the chief executive and if he approves it by signing it the enactment becomes law. If, however, the chief executive vetoes the measure, i. e., refuses to sign it, the bill, together with his objections, is returned to the house in which it originated. If then two-thirds of each house vote for the bill it becomes a law. This is called "passing a law over the President's veto."

**Committees.**—In both houses of Congress certain committees have charge of all bills. When a committee recommends a bill for passage it has a great advantage. On the other hand many bills are "killed" in the committees, i. e., the committee in charge fails to report, or to allow the measure to come up for consideration.

**POWERS OF CONGRESS.**—The Constitution gives Congress power:

(1) "**To lay and collect taxes,**" for the support of the National Government.

(2) "**To borrow money on the credit of the United States.**" When the government borrows money it gives the lender a note of promise stating the amount loaned, the time of payment, and the rate of interest to be paid. The notes thus issued by a government are called **bonds**.

(3) "**To regulate commerce with foreign nations and among the several States,**" and also with the Indian Tribes.

(4) "**To establish an uniform rule of naturalization.**"

(5) "**To establish laws on the subject of bankruptcies.**"

(6) "**To coin money.**"

(7) "**To fix the standard of weights and measures.**" A yardstick should be just as long, and a pound weight just as heavy, in one state as in another. Congress has the right to require that this shall be the case. The National Government presents a full set of weights and measures to the government of each State, and the State adopts these as correct. Thus throughout all the states merchants use standard weights and measures.



(8) **“To provide for the punishment of counterfeiting the securities and current coin of the United States.”**

(9) **“To establish post-offices and post-roads.”**

(10) **“To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.”**

Authors are encouraged to write good books by giving them a **copyright** upon their works. The person who has a copyright upon a book is the only one who can print and sell it. Congress encourages useful inventions by granting **patents** to inventors. A patent upon a machine gives the one who holds the patent the exclusive right to make and sell or use the machine.

(11) **“To constitute tribunals inferior to the Supreme Court.”**

(12) **“To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.”** Piracy is robbery upon the sea. The National Government punishes pirates because their crime is committed outside of the boundary of a State. When a citizen commits an offence against a foreign nation the injured nation regards the offender as a citizen of the United States, and not a citizen of a State. It is the National Government, therefore, that must punish piracies and offences against the law of nations.

(13) **“To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.”** The evils of war fall on many States, therefore war can be declared only by Congress, and conducted by the National Government. Sometimes Congress has granted to private persons the right to go and seize certain property belonging to a foreign country. Such a commission, called a **letter of marque and reprisal**, cannot be granted by a State.

(14) **“To raise and support armies.”**

(15) **“To provide and maintain a navy.”**

(16) “To make rules for the regulation of the land and naval forces.”

(17) “To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.”

(18) “To exercise exclusive legislation” over the District of Columbia.

(19) “To make all laws which shall be necessary and proper for carrying into execution the \* \* \* powers vested by this Constitution.”

(20) “To provide for the case of removal, death, resignation, or inability, both of the President and Vice-President.” Under this power, Congress has passed a law that if both President and Vice-President die, the Secretary of State shall act as President; if the Secretary of State dies, the Secretary of the Treasury shall act as President; and so on down in the Cabinet, the Secretary of War coming third, the Attorney-General fourth, the Postmaster-General fifth, the Secretary of the Navy sixth, the Secretary of the Interior seventh.

(21) “To admit new States into the Union.”

(22) “To make all needful rules and regulations respecting the territory belonging to the United States.”

**PROHIBITIONS.** — The Constitution prohibits Congress from :

(1) Suspending the writ of habeas corpus, except in case of rebellion or invasion.

(2) Passing a bill of attainder.

(3) Enacting an *ex post facto* law, i. e., a law which establishes or changes the penalty of a crime after it has been committed.

(4) Levying capitation or other direct tax unless in proportion to the census or enumeration. This means that Congress shall not pass a capitation tax, or poll tax, unless it be the same in every state. It also means that direct tax



on property, if laid by Congress, shall be apportioned among the states according to their population.

(5) Laying any tax or duty on articles exported from any state or giving any preference by any regulation of commerce or revenue to the ports of one state over those of another state.

(6) Granting any title of nobility.

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### Suggestive Questions

Of what does Congress consist? When and where are the sessions of Congress held?

How are Representatives apportioned? How chosen? What is the present ratio? How many representatives has Oklahoma? How are representative districts fixed?

How is the Speaker of the House chosen?

How many Senators from each state?

How are Senators chosen? For what term?

How are laws passed in Congress?

Explain the Committee Plan.

What may Congress do? What may Congress not do?

## CHAPTER XVI.

### JUDICIAL DEPARTMENT

**The Supreme Court.**—The Supreme Court of the United States is the highest court in our nation. It consists of a Chief Justice and eight Associate Justices. This court holds its principal session at the national capitol. The justices in all national courts are appointed by the President and confirmed by the Senate. The term of office is during good behavior. The chief justice receives an annual salary of \$15,000.00, and each associate justice \$14,500.00.

The Supreme Court appoints its own Clerk and Marshal.

**The Circuit Courts of Appeals.**—In order to relieve the Supreme Court of a part of the burden of appealed cases from the district courts, Congress, in 1891, established the Circuit Courts of Appeals. For this judicial purpose the whole country is divided into nine circuits or districts and a Circuit Court of Appeals is established for each district. One Justice of the Supreme Court and two or more Circuit Judges are assigned to each circuit. Appeals, as a rule, come from the District Courts to the Circuit Court of Appeals.

**District Courts.**—The national court of lowest rank is called a **District Court**. There are almost one hundred districts now (1912) established. Each district has several **divisions** and court is held in each division.

**Special Courts.**—The National Government cannot be sued in the regular courts, but an individual may get adjustment of his rights against the nation in the **Court of Claims**.

Questions arising as to the administration of the tariff laws are adjusted in the **Court of Customs Appeals**.

**Court of Impeachment.**—The President, Judges of the Supreme Court, and all civil officers of the United States may be removed from office on account of treason, bribery, or

other high crimes and misdemeanors. In all such cases, the House of Representatives makes the impeachment charges and the Senate acts as a court and tries the accused.

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### **Suggestive Questions**

Explain the organization of the Supreme Court. How are judges of national courts chosen? For what term?

When and for what purpose were the Circuit Courts of Appeals established? How many circuits are there? What judges are provided for each circuit?

What are the national courts of lowest rank called?

Explain the Special Courts. Court of Impeachment.

# APPENDIX A.

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## RIGHTS OF INDIVIDUALS

There are certain rights which the group secures to each loyal individual. In the family the parents protect the children in their rights; in the school the teacher sees to it that the rights of each pupil are respected. In the state and in the nation certain rights are considered of such importance that they are defined in the fundamental law—the Constitution. These rights were not included in the National Constitution but added as the first ten amendments immediately after the Constitution was ratified by the states.

In Oklahoma the most important rights of individuals are defined in Article II of the Constitution.

### OKLAHOMA BILL OF RIGHTS

(Article II, Oklahoma Constitution)

Sec. 1.—**All Political Power Inherent in People.**—All political power is inherent in the people; and government is instituted for their protection, security, and benefit, and to promote their general welfare; and they have the right to alter or reform the same whenever the public good may require it: Provided, Such change be not repugnant to the Constitution of the United States.

Sec. 2.—**Right to Life, Liberty, etc.**—All persons have the inherent right to life, liberty, the pursuit of happiness, and the enjoyment of the gains of their own industry.

Sec. 3.—**Right of People to Peaceably Assemble.**—The people have the right peaceably to assemble for their own good, and to apply to those invested with the powers of govern-

ment for redress of grievances by petition, address, or remonstrance.

Sec. 4.—**Restriction of Civil and Military Power.**—No power, civil or military, shall ever interfere to prevent the free exercise of the right of suffrage by those entitled to such right.

Sec. 5.—**Public Money; Cannot be Appropriated for Any Church, etc.**—No public money or property shall ever be appropriated, applied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary, or sectarian institution as such.

Sec. 6.—**Courts of Justice Open; Speedy Remedy.**—The courts of justice of the State shall be open to every person, and speedy and certain remedy afforded for every wrong and for every injury to person, property, or reputation; and right and justice shall be administered without sale, denial, delay, or prejudice.

Sec. 7.—**Due Process of Law.**—No person shall be deprived of life, liberty, or property, without due process of law.

Sec. 8.—**All Offenses Bailable Except Capital.**—All persons shall be bailable by sufficient sureties, except for capital offenses when the proof of guilt is evident, or the presumption thereof is great.

Sec. 9.—**Excessive Bail.**—Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

Sec. 10.—**Writ of Habeas Corpus.**—The privilege of the writ of habeas corpus shall never be suspended by the authorities of this State.

Sec. 11.—**Officers; Personal Attention to Duties.**—Every person elected or appointed to any office or employment of trust or profit under the laws of the State, or under any ordinance of any municipality thereof, shall give personal



attention to the duties of the office to which he is elected or appointed.

Sec. 12.—**Restriction on Right to Hold Office.**—No member of Congress from this State, or person holding any office of trust or profit under the laws of any other State, or of the United States, shall hold any office of trust or profit under the laws of this State.

Sec. 13.—**Imprisonment for Debt Prohibited.**—Imprisonment for debt is prohibited, except for the non-payment of fines and penalties imposed for the violation of the law.

Sec. 14.—**Military Subordinate to Civil Authority.**—The military shall be held in strict subordination to the civil authorities. No soldier shall be quartered in any house, in time of peace, without the consent of the owner, nor in time of war, except in a manner to be prescribed by law.

Sec. 15.—**Ex Post Facto Laws; Contracts.**—No bill of attainder, ex post facto law, nor any law impairing the obligation of contracts, shall ever be passed. No conviction shall work a corruption of blood or forfeiture of estate: Provided, That this provision shall not prohibit the imposition of pecuniary penalties.

Sec. 16.—**Treason.**—Treason against the State shall consist only in levying war against it or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Sec. 17.—**Indictment; Information; Examining Trial.**—No person shall be prosecuted criminally in courts of record for felony or misdemeanor otherwise than by presentment or indictment or by information. No person shall be prosecuted for a felony by information without having had a preliminary examination before an examining magistrate, or having waived such preliminary examination. Prosecutions may be instituted in courts not of record upon a duly verified complaint.

Sec. 18.—**Grand Jury.**—A grand jury shall be composed of twelve men, any nine of whom concurring may find an indictment or true bill. A grand jury shall be convened upon the order of a judge of a court having the power to try and determine felonies, upon his own motion; or such grand jury shall be ordered by such judge upon the filing of a petition therefor signed by one hundred taxpayers of the county; when so assembled such grand jury shall have power to investigate and return indictments for all character and grades of crime, and such other powers as the Legislature may prescribe: Provided, That the Legislature may make the calling of a grand jury compulsory.

Sec. 19.—**Petit Jury; Trial.**—The right of trial by jury shall be and remain inviolate, and a jury for the trial of civil and criminal cases in courts of record, other than county courts, shall consist of twelve men; but, in county courts and courts not of record, a jury shall consist of six men. This section shall not be so construed as to prevent limitations being fixed by law upon the right of appeal from judgments of courts not of record in civil cases concerning causes of action involving less than twenty dollars. In civil cases, and in criminal cases less than felonies, three-fourths of the whole number of jurors concurring shall have power to render a verdict. In all other cases the entire number of jurors must concur to render a verdict. In case a verdict is rendered by less than the whole number of jurors, the verdict shall be in writing and signed by each juror concurring therein.

Sec. 20.—**Criminal Prosecutions; Change of Venue; To be Confronted With Witnesses.**—In all criminal prosecutions the accused shall have the right to a speedy and public trial by an impartial jury of the county in which the crime shall have been committed: Provided, That the venue may be changed to some other county of the State, on the application of the accused, in such manner as may be prescribed by law. He shall be informed of the nature and cause of the

accusation against him and have a copy thereof, and be confronted with the witnesses against him, and have compulsory process for obtaining witnesses in his behalf. He shall have the right to be heard by himself and counsel; and in capital cases, at least two days before the case is called for trial, he shall be furnished with a list of the witnesses that will be called in chief, to prove the allegations of the indictment or information, together with their postoffice addresses.

Sec. 21.—**Evidence Against Oneself; Jeopardy.**—No person shall be compelled to give evidence which will tend to incriminate him, except as in this Constitution specifically provided; nor shall any person, after having been once acquitted by a jury, be again put in jeopardy of life or liberty for that of which he has been acquitted. Nor shall any person be twice put in jeopardy of life or liberty for the same offense.

Sec. 22.—**Right of Free Speech; Libel.**—Every person may freely speak, write, or publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions for libel, the truth of the matter alleged to be libelous may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous be true, and was written or published with good motives or for justifiable ends, the party shall be acquitted.

Sec. 23.—**Private Property Not to Be Taken for Private Use.**—No private property shall be taken or damaged for private use, with or without compensation, unless by consent of the owner, except for private ways of necessity, or for drains and ditches across lands of others for agricultural, mining, or sanitary purposes, in such manner as may be prescribed by law.

Sec. 24.—**Private Property; Condemnation; Damages; Right of Way.**—Private property shall not be taken or damaged for public use without just compensation. Such com-



pensation, irrespective of any benefit from any improvements proposed, shall be ascertained by a board of commissioners of not less than three free-holders, in such manner as may be prescribed by law. The commissioners shall not be appointed by any judge or court without reasonable notice having been served upon all parties in interest. The commissioners shall be selected from the regular jury list of names prepared and made as the Legislature shall provide. Any party aggrieved shall have the right of appeal, without bond, and trial by jury in a court of record. Until the compensation shall be paid to the owner, or into court for the owner, the property shall not be disturbed, or the proprietary rights of the owner divested. When possession is taken of property condemned for any public use, the owner shall be entitled to the immediate receipt of the compensation awarded, without prejudice to the right of either party to prosecute further proceedings for the judicial determination of the sufficiency or insufficiency of such compensation. The fee of land taken by common carriers for right of way, without the consent of the owner, shall remain in such owner subject only to the use for which it is taken. In all cases of condemnation of private property for public or private use, the determination of the character of the use shall be a judicial question.

Sec. 25.—**Contempts; July Trial.**—The Legislature shall pass laws defining contempts and regulating the proceedings and punishment in matters of contempt: Provided, That any person accused of violating or disobeying, when not in the presence or hearing of the court, or judge sitting as such, any order or injunction, or restraints, made or rendered by any court or judge of the State shall, before penalty or punishment is imposed, be entitled to a trial by jury as to the guilt or innocence of the accused. In no case shall a penalty or punishment be imposed for contempt, until an opportunity to be heard is given.

Sec. 26.—**Right to bear Arms; Weapons.**—The right of a citizen to keep and bear arms in defense of his home, person, or property, or in aid of the civil power, when thereunto legally summoned, shall never be prohibited; but nothing herein contained shall prevent the Legislature from regulating the carrying of weapons.

Sec. 27.—**Evidence; Compelled to Give; Immunity.**—Any person having knowledge or possession of facts that tend to establish the guilt of any other person or corporation charged with an offense against the laws of the State, shall not be excused from giving testimony or producing evidence, when legally called upon to do so; on the ground that it may tend to incriminate him under the laws of the State; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may so testify or produce evidence.

Sec. 28.—**Records of Corporations Open to Inspection.**—The records, books, and files of all corporations shall be, at all times, liable and subject to the full visitorial and inquisitorial powers of the State, notwithstanding the immunities and privileges in this Bill of Rights secured to the persons, inhabitants, and citizens thereof.

Sec. 29.—**No Person Transported Out of State; Due Process of Law.**—No person shall be transported out of the State for any offense committed within the State, nor shall any person be transported out of the State for any purpose, without his consent, except by due process of law; but nothing in this provision shall prevent the operation of extradition laws, or the transporting of persons sentenced for crime, to other states for the purpose of incarceration.

Sec. 30.—**Search Warrants and Seizures.**—The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches or seizures shall not be violated; and no warrant shall issue but upon probable cause supported by oath or affirmation, describing as par-



ticularly as may be the place to be searched and the person or thing to be seized.

Sec. 31.—**State May Engage in Business.**—The right of the State to engage in any occupation or business for public purposes shall not be denied or prohibited, except that the State shall not engage in agriculture for any other than educational and scientific purposes and for the support of its penal, charitable, and educational institutions.

Sec. 32.—**Perpetuities and Monopolies Prohibited.**—Perpetuities and monopolies are contrary to the genius of a free government, and shall never be allowed, nor shall the law of primogeniture or entailments ever be in force in this state.

Sec. 33.—**Enumeration of Rights No Denial of Others.**—The enumeration in this Constitution of certain rights shall not be construed to deny, impair, or disparage others retained by the people.

## **NATIONAL BILL OF RIGHTS**

(First Ten Amendments to the Constitution of the United States)

### **ARTICLE I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

### **ARTICLE II**

A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

### **ARTICLE III**

No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

#### ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in an criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

#### ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

#### ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

**ARTICLE VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**ARTICLE IX**

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

**ARTICLE X**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.



President Woodrow Wilson



# APPENDIX B

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## UNITED STATES POST OFFICE.

### POSTAL INFORMATION.

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#### PREPARATION FOR MAILING.

Use ink in addressing all mail matter.

**Envelopes** of weak or unsubstantial paper should not be used. Mail is handled often and subjected to pressure and friction in the mail bags, and frequently is delivered from moving trains; hence, if not enclosed in strong envelopes it may be damaged. It is recommended that stamped envelopes, on sale at all post-offices, be used.

**Address.** Write plainly the name of the person addressed, street and number, or number of rural route, post-office and State in full. When the name of the State is abbreviated, frequently Va. and Pa., Md. and Ind., Colo. and Cal., Miss. and Minn., and others are confused and mail missent, as post-offices of the same name are located in several different States. Mail intended for persons temporarily sojourning in a city and to be delivered through the general delivery should be marked "General Delivery." The words "Personal" or "To be called for," and other directions for transmittal, delivery, forwarding or return of mail matter, are deemed part of the address.

**Sender's Name and Address.** The sender's name and address should be placed in the upper left-hand corner of the envelope or wrapper to insure return of mail if not delivered.

**Postage Stamps.** Postage stamps should be securely affixed upon the upper right-hand corner of the address side. When two or more stamps are used, care should be taken that one does not overlap another.

**Avoid Delay** by depositing mail as soon as it is ready, thus insuring prompt dispatch. Much mail is deposited just at the close of the business day, and frequently such congestion follows that all of it can not be distributed in time to be given the first dispatch.



## MODEL FORMS OF ADDRESS.

After — days return to  
JOHN C. SMITH  
146 State St.  
Wilkesville, N. Y.

Stamp

MR. FRANK B. JONES

2416 Front Street,

OSWEGO,

OHIO.

After — days return to  
JOHN C. SMITH,  
Rural Route No. 1  
Wilkesville, N. Y.

Stamp

MR. FRANK B. JONES,

Rural Route No. 3,

OSWEGO,

OHIO,

## DOMESTIC MAIL MATTER.

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### RATES OF POSTAGE.

**First-class.** Letters and other matter, wholly or partly in writing, and matter sealed or otherwise closed against inspection, 2 cents for each ounce or fraction thereof.

Post cards and postal cards, 1 cent each.

“Drop letters,” 1 cent for each ounce or fraction thereof when mailed at post-offices where letter carrier service is not established and at offices where patrons can not be served by rural or star route carriers.

A “drop-letter” is one addressed for delivery at the office where mailed. Letters deposited in boxes along a rural route or star route are subject to postage at the rate of 2 cents an ounce or fraction thereof. There is no drop rate on mail other than letters.

**Second-class—Unsealed.** Newspapers and periodical publications of the second class, when sent by others than the publisher or a news agent, one cent for each four ounces or fraction thereof, on each separately addressed copy or package of unaddressed copies, to be prepaid by stamps affixed.

To be entitled to the rate of 1 cent for four ounces, copies of newspapers or periodical publications must be complete. Partial or incomplete copies are third-class matter.

**Third-class—Unsealed.** Printed matter, 1 cent for each two ounces or fraction thereof, on each individually addressed piece or parcel.

**Fourth-class—Unsealed.** Merchandise, 1 cent for each ounce or fraction thereof, on each individually addressed piece or parcel, except seeds, bulbs, roots, scions, and plants, on which the rate is 1 cent for each two ounces or fraction thereof.

**Concealed Matter.** Matter of a higher class enclosed with matter of a lower class subjects the whole package to the higher rate.

For knowingly concealing or enclosing any matter of a higher class in that of a lower class, and depositing or causing the same to be deposited in the mails, at a less rate than would be charged for such higher-class matter, the offender is liable to a fine of not more than one hundred dollars.

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### SPECIAL DELIVERY SERVICE.

Special delivery service is the prompt delivery of mail by messenger during prescribed hours to persons who reside within the carrier limits of city delivery offices, to patrons of rural service who reside more than one mile from post-offices but within one-half mile of rural routes, and to residents within one mile of any post-office. Special delivery mail is not expedited in transit between post-offices.

**How Obtained.** This service is obtained by placing on any letter or article of mail a special delivery stamp or ten cents worth of ordinary stamps in addition to the lawful postage. When ordinary stamps are used the words “Special Delivery” must be placed on the envelope or wrapper, directly under but never on the stamps; other-

wise the letter or article will not be accorded special delivery service.

**Hours of Delivery.** From 7 a. m. to 11 p. mp at city delivery offices, and from 7 a. m. to 7 p. m. at all other offices, or until after the arrival of the last mail, provided that be not later than 9 p. m. Special delivery mail is delivered on Sundays and holidays as well as other days, if the post-office receives mail on Sundays.

**One Delivery Only Attempted.** When special delivery mail can not be delivered for the reason that no one is present to receive it or for other cause, notice is left at the place of address and the mail returned to the post-office, and it is thereafter treated in all respects as ordinary mail.

**Forwarding.** Special delivery mail may be forwarded under the same rules as ordinary mail, and is then entitled to special delivery service unless an attempt was made to effect delivery at the office of original address.

**Does Not Insure Unusual Safety.** When it is desired to send money or other valuables by special delivery the matter should also be registered. A special delivery stamp does not insure unusual safety.

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### REGISTRY SYSTEM.

**Object.** The registry system provides greater security for valuable mail matter, which is accomplished by records, receipts and other safeguards in the course of handling and the exercise of special care in delivery. Registered mails reach every post-office in the world.

**What Matter Should be Registered.** All valuable letters and parcels, and others of no intrinsic value, for which a return receipt is desired or special care in delivery is essential, should be rebistered.

**What Matter May be Registered—Where, and by Whom.** Any matter admissable to the domestic mails or to the Postal Union mails (except "Parcel Post" packages for Barbados, Dutch Guiana, France, Great Britain, the Netherlands and Uruguay) may be registered. "Parcels Post" mail must be taken to the post-office and handed to the post-master or other official in charge to be registered, but any other class of mail, domestic or foreign, may be registered at any post-office or post-office station, by any rural carrier, and when sealed and not cumbersome on account of size, shape, or weight, by city carriers in residential districts.

**Fee.** The registry fee is 10 cents for each separate letter or parcel, in addition to the postage, either foreign or domestic, both postage and fee to be fully prepaid.

**Registry Stamp.** A registry stamp, specially designed for the purpose, which is not valid in payment of postage, should be used to prepay the registry fee, but ordinary postage stamps may also be used for this purpose.

**Return Receipts.** When an acknowledgment of delivery is desired, the envelope or wrapper of the registered article should be indorsed on the address side, by the sender, "Receipt Desired," or with words of similar import.

**Requirements for Registration of Mail.** In order to have a letter or parcel registered it must bear in serviceable stamps the necessary postage and registry fee (or money sufficient therefor must be handed to the carrier if registration be by carrier), and must be legibly and



correctly addressed (with pen and ink if addressed to a foreign country), and bear the name and address of the sender. The envelope or wrapper must be sufficiently strong to carry the contents in the mails without breaking under ordinary conditions of handling. The article should be handed to the post-master, clerk or carrier, who will issue a receipt therefor to the sender. Any article intended to be sent in the registered mails should not be placed in a street letter box or in a mail drop at the post-office. Firm registration books are supplied without cost to those registering large quantities of mail who desire to keep their own record of registrations. All matter registered as first-class must be securely sealed.

**Delivery of Registered Mail.** Before mailing, the sender of registered mail may restrict its delivery to the addressee or on his written order, by indorsing thereon "Deliver to Addressee Only," except when addressed to certain public officials. The words "Personal" and "Private" do not restrict delivery. Special delivery of registered mail may be secured by affixing a special delivery stamp in addition to the registry stamp.

After mailing, the sender of registered mail may restrict its delivery to such person other than the addressee as he may direct in a written order verified by the mailing post-master.

The addressee of registered mail may restrict its delivery by filing at the post-office of address directions in writing stating to whom delivery should be made.

Registered mail, the delivery of which has not been restricted by either the sender or addressee, may be delivered to any responsible person to whom the addressee's ordinary mail is customarily delivered.

**Delivery by Carriers.** City letter carriers deliver registered matter at the residence or place of business of addressee, and rural carriers do likewise, unless the residence or place of business is more than one-half mile from a rural route, in which event the rural carrier leaves a registry notice for the addressee in the rural mail box if delivery can not be effected at the box or on the route. The addressee, or his authorized representative, may then receive the mail at the box on the carrier's next trip or call for it at the post-office.

**Delivery in Foreign Countries.** Registered articles addressed to foreign countries are delivered according to the rules of the countries of address.

**Undelivered Registered Mail.** Undelivered domestic registered mail of the first class, and such mail of all classes of foreign origin, is returned to the sender without extra charge for registry fee or postage at the expiration of the period appropriate in each case. Extra postage (not the fee) is required for the return of other matter.

**Forwarding.** Registered mail may be forwarded before it has been once properly delivered without additional charge for registry fee upon the written request of the sender, through the mailing post-master, or of any person to whom it is deliverable—first class domestic, and all foreign, registered matter immediately and without extra charge, other (second, third and fourth class domestic) matter, upon prepayment of postage chargeable by law for forwarding.

**Recall of Registered Mail.** When the sender of registered mail desires to reclaim or recall it at any time before delivery, application for this purpose must be made to the mailing post-master.



**Identification.** Persons applying or inquiring for registered mail, as senders or addressees or their authorized representatives, will if unknown be required to establish their identity satisfactorily before registered mail or information concerning it is given them.

**Indemnity for Loss of Registered Mail.** Indemnity will be paid on account of the loss of registered mail in the postal service.

**Domestic Indemnity.** (1) For the value of domestic registered mail of the first class (sealed) up to \$50, and (2) for the value of domestic registered mail of the third and fourth classes (unsealed) up to \$25.

**Application for Indemnity.** Reports of losses and application for indemnity should be made to the post-master at the office of mailing, or at the office of address, with particulars of registration and a description of the contents of the article, and in cases of partial loss or rifling with the envelope or wrapper of the article.

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### MONEY ORDER SYSTEM.

**Advantages of the System.** The postal money order system offers to the public a safe, cheap and convenient method of making remittances by mail. Money can be sent without danger of loss at low rates to all parts of the United States and its possessions, as well as foreign countries, by means of money orders. It is recommended that postal money orders be used whenever available instead of cash for remittances by mail, and that when money orders are not available the money be sent by registered mail. The Department requires the transaction of money order business at all post-offices where practicable. Postmasters are not required to transact money order business on Sunday.

**Application for Money Orders.** A money order is obtained by filling in an application form at the post-office and presenting it at the money order window of the post-office or one of its stations. Money orders are issued for any desired amount from 1 cent to one hundred dollars, and when a larger sum than one hundred dollars is to be sent additional orders may be obtained. There is no limit to the number of money orders which may be sent by one remitter in one day to the same person. If the applicant for a money order resides on a rural route, application may be made through the rural carrier, who will furnish the necessary forms, and must give a receipt for the amount.

**International Money Orders.** At all of the larger post-offices and at many of the smaller ones international money orders may be obtained payable in almost any part of the world.

**Fees** for money orders payable in the United States (which includes Hawaii and Porto Rico) and its possessions, comprising the Canal Zone (Isthmus of Panama), Guam, the Philippines, and Tutuila, Samoa; also for orders payable in Bermuda, British Guiana, British Honduras, Canada, Cuba, Mexico, Newfoundland, at the United States Postal Agency at Shanghai (China), in the Bahama Islands and in certain other islands in the West Indies:

For orders from \$ 0.01 to \$ 2.50-----	3 cents
from \$ 2.51 to \$ 5.00-----	5 cents
from \$ 5.01 to \$ 10.00-----	8 cents
from \$10.01 to \$ 20.00-----	10 cents
from \$20.01 to \$ 30.00-----	12 cents
from \$30.01 to \$ 40.00-----	15 cents
from \$40.01 to \$ 50.00-----	18 cents
from \$50.01 to \$ 60.00-----	20 cents
from \$60.01 to \$ 75.00-----	25 cents
from \$75.01 to \$100.00-----	30 cents

**Payment.** A money order will be paid to the person named therein, or his indorsee, or his agent or attorney, upon his written order.

A money order drawn in favor of a person residing on a rural route may be paid through the carrier if entrusted to him for collection, with a written request addressed to the postmaster that payment be so made.

**Repayment.** A domestic order may be repaid at the office of issue within one year from the last day of the month of its issue. Repayment of the amount of an international order may also be effected after the consent of the country drawn on has been obtained.

**Identification.** The person presenting a money order for payment, or making inquiry relative to a money order, will, if unknown, be required to prove his identity before payment will be made, or information concerning the money order will be given.

**Indorsements.** More than one indorsement on a money order is prohibited by law, but additional signatures may be affixed for the purpose of identifying the payee or indorsee, or of guaranteeing his signature.

**Invalid Orders.** A domestic order which has not been paid within one year from the last day of the month of its issue is invalid, but the owner may secure payment of the amount by making application to the Post-Office Department through the postmaster at any money order office.

**Lost Orders.** When a domestic money order has been lost, the owner may, upon application through either the office at which the original was issued or the office on which it was drawn, obtain, without charge, a duplicate to be issued in its stead within one year from the last day of the month of issue.

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### POSTAL SAVINGS SYSTEM.

**Object.** The Postal Savings System provides facilities for depositing savings at interest with the security of the United States Government for repayment.

**Deposits.** Any person of the age of ten years or over may become a depositor. The account of a married woman is free from any control or interference of her husband. No person can have more than one account at the same time.

An account can not be opened for less than \$1, nor can fractions of \$1 be deposited or withdrawn except as interest; but amounts less than \$1 may be saved for deposit by the purchase of 10-cent postal-savings cards and adhesive 10-cent postal-savings stamps. No person is permitted to deposit more than \$100 in any one calendar month nor

to have a total balance to his credit at one time of more than \$500, exclusive of interest.

**Privacy of Accounts.** No person connected with the Post-office Department or the postal service is permitted to disclose the name of any depositor or give any information concerning an account except to the depositor himself, unless directed to do so by the Postmaster General.

**Certificates.** Depositors receive postal-savings certificates covering the amount of each deposit made. These certificates are valid until paid, without limitation as to time. Postmasters are not permitted to receive saving certificates for safe-keeping.

**Interest.** Interest will be allowed on all certificates at the rate of two per cent for each full year that the money remains on deposit, beginning with the first day of the month following the one in which it is deposited. Interest continues to accrue on deposit as long as the certificates remain outstanding.

**Withdrawals.** A depositor may at any time withdraw the whole or any part of his deposit, with any interest payable, by surrendering at his depository office savings certificates covering the desired amount.

**Death of Depositor.** Upon the death of a depositor, the balance to his credit may be withdrawn by his duly authorized executor, administrator, or other legal representative.

**Bonds.** Any depositor may, under certain conditions, convert the whole or part of his deposits, in any multiple of \$20 up to and including \$500, into United States coupon or registered bonds, bearing interest at the rate of  $2\frac{1}{2}$  per cent per annum, such bonds to be exempt from all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authorities. Postal-savings bonds are not counted as part of the total balance of \$500 allowed to one depositor.

**Service Free.** No charge or fee is collected or required in connection with the opening of an account or the withdrawal of money deposited.

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## PARCEL POST

The parcels post law which became effective January 1, 1913, provides:

“That fourth-class mail matter shall embrace all other matter, including farm and factory products, not now embraced by law in either the first, second, or third class, not exceeding eleven pounds in weight, nor greater in size than seventy-two inches in length and girth combined, nor in form or kind likely to injure the person of any postal employee or damage the mail equipment or other mail matter and not of a character perishable within a period reasonably required for transportation and delivery.”

For the purpose of carrying this law into effect the United States is divided into zones with different rates of postage applicable to each, as follows:



Weight.	Ist zone. Local rate.	Zone rate, 50 miles.	2d zone, 50 to 150 miles. Rate.	3d zone, 150 to 300 miles. Rate.	4th zone, 300 to 600 miles. Rate.	5th zone, 600 to 1,000 miles. Rate.	6th zone, 1000 to 1400 miles. Rate.	7th zone, 1400 to 1800 miles. Rate.	8th zone, all over 1800 miles. Rate.
1 pound---	\$0.05	\$0.05	\$0.06	\$0.07	\$0.08	\$0.09	\$0.10	\$0.11	\$0.12
2 pounds--	.06	.08	.10	.12	.14	.16	.19	.21	.24
3 pounds--	.07	.11	.14	.17	.20	.23	.28	.31	.36
4 pounds--	.08	.14	.18	.22	.26	.30	.37	.41	.48
5 pounds--	.09	.17	.22	.27	.32	.37	.46	.51	.60
6 pounds--	.10	.20	.26	.32	.38	.44	.55	.61	.72
7 pounds--	.11	.23	.30	.37	.44	.51	.64	.71	.84
8 pounds--	.12	.26	.34	.42	.50	.58	.73	.81	.96
9 pounds--	.13	.29	.38	.47	.56	.65	.82	.91	1.08
10 pounds--	.14	.32	.42	.52	.62	.72	.91	1.01	1.20
11 pounds--	.15	.35	.46	.57	.68	.79	1.00	1.11	1.32

The local rate is applicable to parcels intended for delivery at the office of mailing or on a rural route starting therefrom.

The rate on parcels weighing four ounces or less is one cent per ounce for any distance.

The local rate is applicable to parcels intended for delivery at the office of mailig or on a rural route starting therefrom.

The weight on parcels weighing four ounces of less is one cent per ounce for any distance.



# GENERAL INDEX

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**Note to Teacher:**—The figures refer to pages in the text; the Roman numerals refer to articles in the Oklahoma Constitution, and these are followed by figures indicating the sections of the articles named. All reference to the Constitution or to the statutes of the State are enclosed in parentheses.

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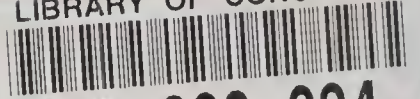


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